IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 7608 of 2007(E)

PETITIONER:

E.K.ANIL, S/O.KUMARAN,
GOKULAM ESTATE, CHUNDALE, VYTHIRI,
WAYANAD.

BY ADV. SRI.PHILIP M.VARUGHESE

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE DISTRICT COLLECTOR, WAYANAD, KALPETTA.**
2. **REVENUE DIVISIONAL OFFICER, MANANTHAVADY.**
3. **TAHSILDAR, TALUK OFFICE, VYTHIRI, WAYANAD.**
4. **DEPUTY TAHSILDAR (RR), VYTHIRI TALUK OFFICE, WAYANAD.**

BY SR.GOVERNMENT PLEADER SMT. M.K. PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE ORDER OF C 8788/2001 DTD. 13/08/2001.

EXT.P2(A); COPY OF THE RECEIPTS DTD. 23/08/2001.

EXT.P2(B): COPY OF THE RECEIPTS DTD. 23/08/2001.

EXT.P2(C): COPY OF THE RECEIPTS DTD. 23/08/2001.

EXT.P2(D): COPY OF THE RECEIPTS DTD. 23/08/2001.

EXT.P2(E): COPY OF THE RECEIPTS DTD. 23/08/2001.

EXT.P3: COPY OF THE ORDER OF REVISION DTD. 15/01/2005.

EXT.P4: COPY OF THE RECEIPT DTD. 10/03/2005.

EXT.P5: COPY OF THE ORDER DTD. 23/08/2006.

EXT.P6: COPY OF THE NOTICE DTD. 8/01/07.

EXT.P7: COPY OF THE REVISION PETITION DTD. 1/03/2007.

/TRUE COPY/

KSS

K.BALAKRISHNAN NAIR,J.

WP(C)NO.7608 OF 2007-E

Judgment

The petitioner, feeling aggrieved by Ext.P5 order passed by the Revenue Divisional Officer, Mananthavady, dismissing his appeal filed against the assessment of building tax, has filed Ext.P7 revision before the District Collector, Wayanad. He prays for a direction to the District Collector to consider and pass orders on the said revision. The learned Government Pleader upon instruction, submitted that Ext.P7 is received and pending, but, the petitioner has not, so far, paid any tax. The learned counsel for the petitioner points out that he has already remitted 50% of the tax. If that be so, the District Collector, Wayanad will consider and pass orders on Ext.P7 in accordance with law after affording an opportunity of being heard to the petitioner within one month from the date of receipt of a copy of this Judgment. The petitioner shall produce before the District Collector, receipts to show that he has already paid 50% of the tax due. If the petitioner produces a copy of this Judgment before the District Collector within three weeks from today, further recovery pursuant to Ext.P6 demand will be kept in abeyance for a period of three months or till Ext.P7 is disposed of by the District Collector, whichever is earlier.

The Writ Petition is disposed of as above.

28.03.2006 **K.BALAKRISHNAN NAIR,JUDGE**

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